

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MELISSA HARTMAN, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

MONARCH RECOVERY  
MANAGEMENT, INC.

Defendant.

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CIVIL ACTION

NO. 15-cv-1364

**ORDER APPROVING CLASS NOTICE AND DEADLINES**

This matter came before the Court on a Joint Motion for Approval of Class Notice, and based on the Court's review of the Motion and proposed Notice:

THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

1. The Proposed Class Notice attached to the parties' Joint Motion meets all requirements set forth under the Class Action Fairness Act of 2005 ("CAFA"), 28 U.S.C. 1715.
2. The Court approves said Proposed Notice, which promptly shall be finalized to reflect the deadlines established in this Order.
3. **By December 14, 2017**, Plaintiff's counsel shall, through a class administrator, cause the actual approved notice to be mailed to the Class Members ("Notice Deadline"). The Class Administrator shall distribute the notice via any form of U.S. Mail providing address forwarding. Each notice shall be sent with a request for forwarding addresses. In the event that a notice is returned as undeliverable and a forwarding address is provided, the Class Administrator shall cause to be forwarded any such returned notice to the address provided within four (4) days of receipt. Neither the

Class Administrator, nor Counsel is required to skip trace any notices that are returned as undeliverable.

4. The Court finds that mailing of the Class Notice is the only notice required and that such notice satisfies the requirements of due process pursuant to the Federal Rules of Civil Procedure, including Rule 23, the United States Constitution, and any other applicable law.
5. Settlement Class members shall have until **February 20, 2018** to exclude themselves from or object to the proposed settlement. Any Settlement Class members desiring to exclude themselves from the action must serve copies of the request on counsel for both Plaintiff and Defendant by that date. Any Settlement Class members who wish to object to the settlement must submit an objection in writing to the Clerk of the United States District Court for the Western District of Pennsylvania, and serve copies of the objection on counsel for both Plaintiff and Defendant by that date. Any objection must include the name and number of the case and a statement of the reason why the objector believes that the Court should find that proposed settlement is not in the best interests of the class. Objectors who have filed written objections to the settlement may also appear at the hearing and be heard on the fairness of the settlement. To be effective, the request for exclusion or objection must be postmarked by **February 20, 2018**.
6. Plaintiff shall file any Motion for damages, attorney fees and costs by **February 27, 2018**. Defendant's response(s) in opposition, if any, shall be filed by **March 13, 2018**.
7. Final Approval Hearing shall take place on **April 17, 2018 at 11:00 a.m.** Given that putative objectors may wish to participate, the Court does not anticipate rescheduling the Hearing. Thus, any requests to modify the deadlines herein shall include best efforts to preserve the Final Approval Hearing date.

8. The parties shall file a Proof of Class Notice, Motion for final approval, and a list of requests for exclusions and objections by April 3, 2018.

9. Finally, the parties are reminded that, pursuant to 28 U.S.C. § 1715(d), an order finally approving a proposed class action settlement may not be issued earlier than 90 days after CAFA notice is provided to appropriate state and/or federal officials. See *id.* Accordingly, an order finally approving class-settlement may need to be held in abeyance for some time after the Final Approval Hearing, depending on when the parties are able to demonstrate appropriate CAFA notice has been provided.

IT IS SO ORDERED.

November 13, 2017

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All Counsel Currently of Record